

the interstitial member having a proximal end, a distal end, an inner surface, and an outer surface,

the inner surface of the interstitial member facing a portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member, and

the inner surface of the interstitial member shaped to engage only a portion of the portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member;

a housing disposed about the first elongate shaft proximate the proximal end thereof;

a slider disposed about the second elongate shaft proximate a proximal portion thereof wherein the slider is disposed within a chamber defined by the housing;

a plurality of indicia disposed upon a surface of the housing proximate the slider;

the second elongate shaft forming a point at the distal end thereof;

the second elongate shaft defining an injection port proximate the point thereof;

the second elongate shaft defining an injection lumen in fluid communication with the injection port;

the injection lumen being in fluid communication with a fluid source; and

wherein the fluid source is capable of injection fluid into the injection lumen of the second elongate shaft.

#### REMARKS

Claims 1-3, 8-10, 15-17 and 20 are currently pending in the above-referenced Application following withdrawal of claims 4-7, 11-14 and 18-19 from consideration. Claim 20 stands allowed.

The Applicants wish to express their gratitude for the courtesies extended by the Examiner in the June 17, 2003 Interview in this case. Consistent with the discussions in the Interview, the Applicants are amending independent claims 1, 8 and 15 for clarity, *i.e.*, to resolve the Examiner's concern as to which portion of the second elongate shaft is engaged by the interstitial member. As amended, the relevant portions of independent claims 1, 8 and 15 now recite:

the inner surface of the interstitial member facing a portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member, and

the inner surface of the interstitial member shaped to engage only a portion of the portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member

In response to the April 9, 2003 Final Office Action, the Applicants submitted arguments as to why the pending claims are allowable over the cited references, U.S. Patent No. 5,261,889 to Laine, *et al.* ("Laine"), PCT publication WO 99/44656 by Rosengart, *et al.* ("Rosengart"), and U.S. Patent No. 5,486,161 to Lax, *et al.* ("Lax"). For brevity, these arguments are not repeated herein. The Applicants respectfully request the Examiner reconsider these arguments in view of the discussions in the Interview regarding these references' failure to disclose or suggest a catheter shaft assembly in which an interstitial member contacts only a portion of the portion of the inner shaft within the interstitial member.

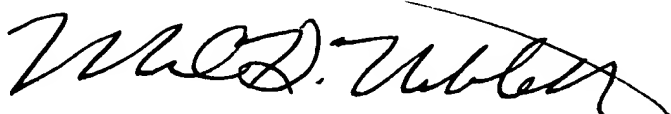
**Conclusion**

In view of the foregoing amendments and remarks, the Applicants believe that upon entry of the foregoing amendments, claims 1-3, 8-10 and 15-17 are in allowable form, in addition to allowed claim 20. The Applicants respectfully request reconsideration of the pending rejections and issuance of a Notice of Allowance for claims 1-3, 8-10, 15-17 and 20.

The Examiner is invited to contact the undersigned at (202) 220-4232 to discuss any matter concerning this application.

The Office is authorized to charge any underpayment or credit any overpayment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,



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**MARKED-UP VERSION OF AMENDMENTS**

**IN THE CLAIMS:**

1. (Twice Amended) A catheter shaft assembly, comprising:  
a first elongate shaft having an inner surface defining a lumen;  
a second elongate shaft having an outer surface,  
the second elongate shaft slidably disposed within the lumen of the first elongate shaft; and  
an interstitial member disposed between the inner surface of the first elongate shaft and the outer surface of the second elongate shaft,  
the interstitial member having a proximal end, a distal end, an inner surface, and an outer surface,  
the inner surface of the interstitial member facing a portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member, and  
the inner surface of the interstitial member shaped to engage only a portion of the portion of the outer surface of the second elongate shaft between the proximal [end of the interstitial member] and [the] distal ends of the interstitial member.

8. (Thrice Amended) A catheter, comprising:  
a first elongate shaft having an inner surface defining a lumen;  
a second elongate shaft having an outer surface,  
the second elongate shaft slidably disposed within the lumen of the first elongate shaft;  
an interstitial member disposed between the inner surface of the first elongate shaft and the outer surface of the second elongate shaft the interstitial member having a proximal end, a distal end, an inner surface, and an outer surface,  
the inner surface of the interstitial member facing a portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member, and  
the inner surface of the interstitial member shaped to engage only a portion of the portion of the outer surface of the second elongate shaft between the proximal [end of the interstitial member] and [the] distal ends of the interstitial member;  
a housing coupled to the first elongate shaft proximate the proximal end thereof;

a slider disposed about the second elongate shaft proximate a proximal portion thereof wherein the slider is disposed within a chamber defined by the housing.

15. (Twice Amended) A catheter shaft assembly, comprising:
- a first elongate shaft having an inner surface defining a lumen;
  - a second elongate shaft having an outer surface,
    - the second elongate shaft slidingly disposed within the lumen of the first elongate shaft;
    - an interstitial member disposed between the inner surface of the first elongate shaft and the outer surface of the second elongate shaft
      - the interstitial member having a proximal end, a distal end, an inner surface, and an outer surface,
        - the inner surface of the interstitial member facing a portion of the outer surface of the second elongate shaft between the proximal and distal ends of the interstitial member, and
        - the inner surface of the interstitial member shaped to engage only a portion of the portion of the outer surface of the second elongate shaft between the proximal [end of the interstitial member] and [the] distal ends of the interstitial member;
  - a housing disposed about the first elongate shaft proximate the proximal end thereof;
  - a slider disposed about the second elongate shaft proximate a proximal portion thereof wherein the slider is disposed within a chamber defined by the housing;
  - a plurality of indicia disposed upon a surface of the housing proximate the slider;
  - the second elongate shaft forming a point at the distal end thereof;
  - the second elongate shaft defining an injection port proximate the point thereof;
  - the second elongate shaft defining an injection lumen in fluid communication with the injection port;
    - the injection lumen being in fluid communication with a fluid source; and
    - wherein the fluid source is capable of injection fluid into the injection lumen of the second elongate shaft.